

1                   **PEACE OFFICER TRAINING QUALIFICATIONS**

2                                   **AMENDMENTS**

3   2021 GENERAL SESSION

4   STATE OF UTAH

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6   **LONG TITLE**

7   **General Description:**

8           This bill removes the requirement that an applicant to become a peace officer must be a  
9           United States citizen.

10   **Highlighted Provisions:**

11           This bill:

- 12           ▶ removes the requirement that an applicant for peace officer training programs must  
13           be a United States citizen.

14   **Money Appropriated in this Bill:**

15           None

16   **Other Special Clauses:**

17           None

18   **Utah Code Sections Affected:**

19   AMENDS:

20           **53-6-203**, as last amended by Laws of Utah 2019, Chapter 90

21           **63I-1-253**, as last amended by Laws of Utah 2020, Chapters 154, 174, 214, 234, 242,  
22           269, 335, and 354

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24   *Be it enacted by the Legislature of the state of Utah:*

25           Section 1. Section **53-6-203** is amended to read:

26           **53-6-203. Applicants for admission to training programs or for certification**  
27   **examination -- Requirements.**

28           (1) Before being accepted for admission to the training programs conducted by a  
29   certified academy, and before being allowed to take a certification examination, each applicant  
30   for admission or certification examination shall meet the following requirements:

31           ~~[(a) be a United States citizen;]~~

32           ~~[(b)]~~ (a) be at least:

33           (i) 21 years of age at the time of certification as a special function officer; or

34           (ii) as of July 1, 2019, 19 years of age at the time of certification as a correctional  
35 officer;

36           ~~[(c)]~~ (b) be a high school graduate or furnish evidence of successful completion of an  
37 examination indicating an equivalent achievement;

38           ~~[(d)]~~ (c) have not been convicted of a crime for which the applicant could have been  
39 punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of  
40 this or another state;

41           ~~[(e)]~~ (d) have demonstrated good moral character, as determined by a background  
42 investigation; and

43           ~~[(f)]~~ (e) be free of any physical, emotional, or mental condition that might adversely  
44 affect the performance of the applicant's duties as a peace officer.

45           (2) (a) An application for admission to a training program shall be accompanied by a  
46 criminal history background check of local, state, and national criminal history files and a  
47 background investigation.

48           (b) The costs of the background check and investigation shall be borne by the applicant  
49 or the applicant's employing agency.

50           (3) (a) Notwithstanding any expungement statute or rule of any other jurisdiction, any  
51 conviction obtained in this state or other jurisdiction, including a conviction that has been  
52 expunged, dismissed, or treated in a similar manner to either of these procedures, may be  
53 considered for purposes of this section.

54           (b) This provision applies to convictions entered both before and after the effective  
55 date of this section.

56           (4) Any background check or background investigation performed pursuant to the  
57 requirements of this section shall be to determine eligibility for admission to training programs  
58 or qualification for certification examinations and may not be used as a replacement for any  
59 background investigations that may be required of an employing agency.

60           (5) An applicant shall be considered to be of good moral character under Subsection  
61 (1)(e) if the applicant has not engaged in conduct that would be a violation of Subsection  
62 53-6-211(1).

(6) An applicant seeking certification as a law enforcement officer, as defined in Section 53-13-103, shall be qualified to possess a firearm under state and federal law.

Section 2. Section **63I-1-253** is amended to read:

**63I-1-253. Repeal dates, Titles 53 through 53G.**

(1) Section 53-2a-105, which creates the Emergency Management Administration Council, is repealed July 1, 2021.

(2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory Board, are repealed July 1, 2022.

(3) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed July 1, 2023.

(4) Subsection 53-6-203(1)(~~b~~)(a)(ii), regarding being 19 years old at certification, is repealed July 1, 2027.

(5) Subsection 53-13-104(6)(a), regarding being 19 years old at certification, is repealed July 1, 2027.

(6) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is repealed July 1, 2024.

(7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

(8) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is repealed January 1, 2025.

(9) Section 53B-18-1501 is repealed July 1, 2021.

(10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

(11) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July 1, 2025.

(12) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells and other hydrologic studies in the West Desert, is repealed July 1, 2030.

(13) Section 53E-3-515 is repealed January 1, 2023.

(14) In relation to a standards review committee, on January 1, 2023:

(a) in Subsection 53E-4-202(8), the language "by a standards review committee and the recommendations of a standards review committee established under Section 53E-4-203" is repealed; and

94 (b) Section 53E-4-203 is repealed.

95 (15) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in  
96 custody, are repealed July 1, 2027.

97 (16) Section 53E-4-402, which creates the State Instructional Materials Commission, is  
98 repealed July 1, 2022.

99 (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is  
100 repealed July 1, 2023.

101 (18) Subsection 53E-8-204(4), which creates the advisory council for the Utah Schools  
102 for the Deaf and the Blind, is repealed July 1, 2021.

103 [~~(19)~~] ~~Section 53F-2-514 is repealed July 1, 2020.~~

104 [~~(20)~~] (19) Section 53F-5-203 is repealed July 1, 2024.

105 [~~(21)~~] (20) Section 53F-5-212 is repealed July 1, 2024.

106 [~~(22)~~] (21) Section 53F-5-213 is repealed July 1, 2023.

107 [~~(23)~~] (22) Section 53F-5-214, in relation to a grant for professional learning, is  
108 repealed July 1, 2025.

109 [~~(24)~~] (23) Section 53F-5-215, in relation to an elementary teacher preparation grant is  
110 repealed July 1, 2025.

111 [~~(25)~~] (24) Subsection 53F-9-203(7), which creates the Charter School Revolving  
112 Account Committee, is repealed July 1, 2024.

113 [~~(26)~~] (25) Section 53F-9-501 is repealed January 1, 2023.

114 [~~(27)~~] (26) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety  
115 Commission, are repealed January 1, 2025.

116 [~~(28)~~] (27) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class  
117 C misdemeanor, is repealed July 1, 2022.